



CASE NO: 2:21-cv-00969-LA

**JOHN HUBER, IN HIS INDIVIDUAL CAPACITY AND AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF ANTHONY HUBER**

V.

DAVID G. BETH, ET AL.

CASE NO: 2:21-cv-001192-LA

PAUL HENRY PREDIGER

V.

CITY OF KENOSHA, ET AL.

DEPONENT:

JOSEPH NOSALIK

DATE:

October 28, 2024



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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

JOHN HUBER, in his
individual capacity and as
Personal Representative of
the ESTATE OF ANTHONY
HUBER,

Plaintiff,

vs. Case No: 2:21-cv-00969-LA

DAVID G. BETH, et al.,

Defendants.

PAUL HENRY PREDIGER,

Plaintiff,

vs. Case No: 2:21-cv-001192-LA

CITY OF KENOSHA, et al.,

Defendants.

Examination of JOSEPH NOSALIK, taken at the
instance of the Plaintiffs, under and pursuant to all
applicable rules and procedures, before LEAH R. MILLER,
Notary Public in and for the State of Wisconsin, at
Country Inn & Suites, 7011 122nd Avenue, Kenosha,
Wisconsin, on October 28, 2024, commencing at 10:26 a.m.
and concluding at 5:45 p.m.

1 MS. WISCO: No, that was Natalie.

2 THE COURT REPORTER: Thank you, I can't see.

3 MR. RALLINS: We'll make it Exhibit 1.

4 THE COURT REPORTER: Okay, let me mark it real
5 quick.

6 (Exhibit No. 1 was marked.)

7 BY MR. RALLINS:

8 Q Sir, do you recognize this e-mail thread?

9 A Only from you putting it in front of me now.

10 Q And you would agree with me that this is e-mail
11 communications from June 2nd, 2020, correct?

12 A Correct.

13 Q And on June 2nd, 2020 you and multiple law enforcement
14 officers received an e-mail from Michael Sheen of the
15 FBI, correct?

16 A Correct.

17 Q And the e-mail provides you information about a
18 counterprotest group, do you see that?

19 A Correct.

20 Q And he indicates that the event is going to start at
21 5:30, do you see that?

22 A Yes.

23 Q And you would agree with me, you wouldn't dispute that
24 you were forwarded the e-mail messages that are below,
25 correct?

1 A My e-mail address is one of the recipient e-mail
2 addresses.

3 Q Okay. And below under the thread you received
4 information about the Kenosha Guard, correct?

5 A There's information communicated about the Kenosha
6 Guard.

7 Q And it states that the Kenosha Guard page was created on
8 June 2nd, 2020, correct?

9 A I am reading I don't see where it says the page was
10 created on June 2nd.

11 Q If you go to the third line, do you see it?

12 A Yes, I see that.

13 Q Okay. And it indicates that this must be a new group,
14 do you see that?

15 A Yes.

16 Q And you're receiving this information from a person from
17 the FBI, Kali, correct?

18 A It is a that I know through the FBI, yes.

19 Q And Kali also communicates to you that the "general
20 assessment is that due to the ideology they are
21 sympathetic to a militia ideology and have formed as a
22 result of the criminal activity that happened in Kenosha
23 earlier this week," do you see that?

24 A Yes.

25 Q And below that in the thread if you turn to the

1 following page it says, "Please see attached Facebook
2 post of armed, counter protest today from 4:30pm-10:00pm
3 at Kenosha Civic Center Park. Appears to be sponsored
4 by 'Kenosha Guard,'" do you see that?

5 A Yes.

6 Q Then you also receive information that says, "Please
7 research Kenosha Guard and provide any updates from
8 Facebook by 3:45pm as that is when I will be at the
9 Kenosha CP," do you see that?

10 A Yes.

11 Q Does this refresh your recollection that on June 2nd,
12 2020 you received information about the Kenosha Guard
13 including information that it would be protesting as
14 well as you were provided the Facebook page?

15 MR. ENGELKE: Object to form. Can you reread
16 that question?

17 BY MR. RALLINS:

18 Q Well, I will ask it one more time. Does this refresh
19 your recollection on June 2nd, 2020 you received
20 information about the Kenosha Guard?

21 A It refreshes my recollection that, yes, information was
22 sent to my e-mail address about the Kenosha Guard.

23 Q And it provided you with information that the Kenosha
24 Guard had a militia ideology, correct?

25 A That's what the e-mail states, correct.

- 1 Q And that the Kenosha Guard had a Facebook page, correct?
- 2 A That's correct.
- 3 Q And that they would be armed, correct? If you flip to
- 4 the second page, "an armed, counter protest today," do
- 5 you see that?
- 6 A Yes.
- 7 Q Okay. And do you recall having discussions about the
- 8 Kenosha Guard with anyone at the Kenosha Police
- 9 Department after receiving this information on June 2nd,
- 10 2020?
- 11 A No, I don't.
- 12 Q Did you communicate it to the chief of police?
- 13 A Not that I recall, no.
- 14 Q All right. I'm showing you what we're going to mark as
- 15 Exhibit 2.
- 16 MR. RALLINS: And for the lawyers it's
- 17 CITYDEF015325 through -27.
- 18 (Exhibit No. 2 was marked.)
- 19 MR. ENGELKE: Quinn, I'm guessing you have new
- 20 exhibits for this deposition. You're going to start at
- 21 1 every time?
- 22 MR. RALLINS: Yes, I'm terrible with it.
- 23 MR. ENGELKE: That's fine.
- 24 BY MR. RALLINS:
- 25 Q And this document is a Facebook event hosted by the

Kenosha Guard, correct?

A I don't -- it says it's hosted by the Kenosha Guard on
who posted it.

Q No, I'm not asking who posted it.

A Okay.

Q You would agree with me that what you're looking at is a Facebook event that is hosted by the Kenosha Guard on June 2nd, 2020, correct?

MR. ENGELKE: Objection, calls for

speculation.

BY MR. RALLINS:

Q This is the same day of the event that you were alerted to by the FBI, correct, June 2nd, 2020?

A So I can't see a date on this Facebook post on Exhibit 2.

Q Yeah, below "Hosted by Kenosha Guard," it says, "Today from 4:30 PM to 10:00 PM," do you see that? We'll go through --

A It says, "Today at 4:30 PM to 10:00 PM." It doesn't provide a date.

Q Well, at the top it says June 2nd.

A Oh, okay.

Q Do you see that?

A Yes.

Q You don't have the reason to dispute that this event is

1 occurring on June 2nd between 4:30 p.m. and 10:00 p.m.,
2 correct?

3 A No.

4 Q And that's the same timeframe that the FBI provided you
5 in the previous e-mail where they say there is a
6 counterprotest today from 4:30 p.m. to 10:00 p.m. at
7 Kenosha Civic Center Park, do you see that?

8 A Yes.

9 Q And on the Facebook post there is, if we look at 27,
10 there is a post of an individual who is carrying a gun,
11 correct?

12 MR. ENGELKE: Do you mean 15327?

13 MR. RALLINS: Yes.

14 THE WITNESS: So on the Facebook post there is
15 a photograph of somebody who has a rifle.

16 BY MR. RALLINS:

17 Q Okay. Did you go to the protest on June 2nd to observe
18 the Kenosha Guard at the Civic Center?

19 A I don't recall if I did or not.

20 Q And you don't recall circulating this information to the
21 chief of police or anyone else at the Kenosha Police
22 Department, correct?

23 A No, it was sent to Inspector Hansche who is the third in
24 charge, and that would have been something he would have
25 done as being in charge of patrol operations.